



June 27, 2017

Administrative Exception / Variance Request Review

c/o Development Services Staff, Development Services Department, City of San Antonio
1901 S. Alamo
San Antonio, Texas 78204

Re: Stillwater Ranch MDP Phase 3, AP# 2105096, MDP # 15-000-48
UDC Sec. 35-523 (h), Tree Preservation, minimum 80% preserved in-place, Riparian Buffer Tree Stand.

- └ Administrative Exception
- └ Environmental Variance
- └ Subdivision Platting Variance – Time Extension

Dear COSA DSD:

The following administrative exception variance request (AEVR) is submitted on behalf of RSI Stillwater, LLC (the "Owner"), owner of an existing tract of undeveloped land located between Culebra Road and Galm Road, west of Loop 1604, San Antonio, Texas (the "Property"). The Owner currently proposes to construct an approximately 665 lot single family community with associated site improvements on the Property. Other than preserving a minimum of 80% of the Riparian Buffer Tree Stand, the proposed development will comply with the applicable sections of the Unified Development Code (UDC).

An aerial photo and on-ground tree survey determined there is approximately 57,964 SF of Riparian Buffer Tree Stand onsite. Due to grading required to prepare the site for the proposed single family development, the site contractor must remove 30,483 SF of Riparian Buffer Tree Stand, resulting in an in-place preservation ratio of 47.4%.

Thus, the Owner requests a variance from strict compliance with the UDC due to the fact that only 47.4% of Riparian Buffer Tree Stand can be preserved due to the grading required to prepare and level the site for the new residential lots and roads servicing this development.

In support of the above AEVR allowing development of the Property without preserving a minimum 80% preserved in-place, Riparian Buffer Tree Stand, the Owner offers the following:

- (1) The hardship requiring this AEVR is unique to the property. The Owner is unable to preserve in-place a minimum 80% Riparian Buffer Tree Stand due to the grading required to prepare and level the site for the new residential lots and roads servicing the development, resulting in a preservation ratio of 47.4% of the Riparian Buffer Tree Stand.
- (2) This AEVR corresponds to the spirit of the UDC. The stated purpose of UDC Sec. 35-523 is to allow "the reasonable improvement of land within the city and city's ETJ" while striving "to maintain, to the greatest extent possible, existing trees within the city and to add to the tree population within



the city and the ETJ to promote a high tree canopy goal.” In this case, only 47.4% of Riparian Buffer Tree Stand may be preserved due to the grading required to prepare and level the site for the new residential lots and the main road servicing the development.

The total preservation shortfall of Riparian Buffer Tree Stand is 18,889 SF and as a result the total tree mitigation required is 360.5 inches. To ensure that all 360.5 caliper inches of mitigation are addressed, Vegetative Filter Strips will provide a total of 435.5 caliper inches of Tree Mitigation that will be specifically applied to the Riparian Buffer Tree Stand shortfall. 75 additional caliper inches of tree mitigation will be directly mitigated with additional square footage of Vegetative Filter Strips onsite in order to surpass the minimum mitigation required by the UDC and shows how these plans go above and beyond the minimums required in order to adequately resolve the Riparian Buffer Tree Stand removal.

Also, 29 proposed trees of 3” and 4” size equaling 87 caliper inches will be moved from Units 24 and 29 to Unit 27 on the revised landscape plans from MP Studio. Additionally, those trees will raise the post-development Tree Stand Preservation in the Riparian Buffer from 47.4% back up to 93.9% and will alleviate any adverse impacts from the removal of Riparian Buffer Tree Stand required to prepare and level the site. Those 29 trees will be placed within the Riparian Buffer area near Galm Road and provide a total of 87 caliper inches of new trees in the Riparian Buffer area and further express how the shortfall of Riparian Buffer Tree Stand will be mitigated above and beyond the minimums required by the UDC.

- (3) The Owner has sought to minimize any potentially adverse impacts on the public health, safety, and welfare. By preserving 0.63 acres of tree stand and mitigating the shortfall via planting trees and vegetative filter strips the removal of trees in the riparian buffer, the Owner has ensured that the proposed mitigation meets and exceeds the minimum required by the UDC.

Additionally, as described more specifically below, this AEVR meets the approval criteria stipulated in UDC Sec. 35-483 (e):

- If the applicants comply strictly with UDC Sec. 35-523 (e) (1), they cannot make reasonable use of their property. Due to the fact that grading is required to prepare and level the site for the new residential lots and the roads servicing the development resulting in 0.70 acres of Riparian Buffer Tree Stand to be removed resulting in an in-place preservation rate for Riparian Buffer Tree Stand of 47.4%.
- The hardship in question relates to the Owner's land, rather than personal circumstance. This AEVR is required because the proposed development is designed in a dense and efficient manner which requires 0.70 acres of tree stand to be removed in order to construct the proposed single-family community.
- The hardship is unique, or nearly so, rather than one shared by many surrounding properties. See above.
- The hardship is not the result of the applicant's own actions. The existing Tree Stand was present in its current size and location on the Property prior to the owner's new development of the land.



In conclusion, granting this AEVR and permitting the Owner to remove existing Riparian Buffer Tree Stand and prepare and level the site for the proposed designed community while fully mitigating for tree removal will allow development within the spirit of the UDC and pose no threat to health, safety, or public welfare.

Thank you for considering the foregoing request.

Sincerely,

Jon Robinson, Agent for the Owner

For Office Use Only:		AEVR #:	_____	Date Received:	_____
<u>DSD – Director Official Action:</u>					
<input type="checkbox"/>	APPROVED	<input type="checkbox"/>	APPROVED W/ COMMENTS	<input type="checkbox"/>	DENIED
Signature:		_____		Date:	_____
Printed Name:		_____		Title:	_____
Comments:		_____ _____ _____			